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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,885	03/06/2002	Steven Victor Kauffman	SVL920010048US1	6876

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EXAMINER

BLACK, LINH

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,885

Applicant(s)

KAUFFMAN, STEVEN VICTOR

Examiner

LINH BLACK

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,9-14,16-19 and 21-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,9-14,16-19 and 21-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/9/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to the Applicant's arguments dated 5/12/05. The IDS dated April 9, 04, is considered herewith. Claims 5-8, 15, and 20 are cancelled. Claims 1, 9, 16, 30-32 are independent claims. Claims 1-4, 9-14, 16-19, and 21-32 are pending in the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 9, 12, 16, 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Exley et al. (US 5724577).

As per claims 1, 9, 16, Exley et al. teach a module that provides a key that includes (1) a unique identifier of a datum, and (2) an additional attribute; wherein said key is utilized by a process that associates said key with said datum in an index of said datum, so that said additional attribute is also associated with said datum in said index – col. 2, lines 7-31; col. 3, lines 13-30; col. 4, lines 7-35.

As per claims 4, 12, Exley et al. teach wherein said datum is stored in a database – col. 2, lines 7-31; col. 3, lines 13-31.

As per claims 30-32, Exley et al. teach a module that searches an index of data, wherein said data includes a first datum associated with a first key that includes a unique identifier of said first datum, and an additional attribute having a first value – col. 3, line 50 to col. 4, line 35; Exley et al. teach unique keys associates with the values found in the relational information table – col. 4, lines 22-35; a module that searches said index and obtains a list that includes said first key and a second key – col. 3, line 50 to col. 4, line 37. Exley et al. disclose the sorted order or data groups and subgroups determined by index keys – col. 3, lines 31- 50; fig. 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 10, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Exley et al. (US 5724577), and further in view of Shadmon et al. (US 2002/0120598).

As per claims 2, 10, 17, Exley et al. do not explicitly teach “additional attribute is encoded into said unique identifier”. However, Shadmond et al. teach “encoding semi-structured data for efficient search and browse” – the title; general field of accessing data including but not limited to XML documents – paragraph 0001; encoding and indexing semi-structured data – pars. 0096-0103. Shadmond et al. teach additional attribute is encoded into said unique identifier – pars. 0200, 0209-0210. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.’s teaching with Shadmond et al.’s teaching to allow the indexing of encoded attributes in unique identifiers in order to facilitate efficient search and browsing to end users.

Claims 3, 11, 13-14, 18-19, 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Exley et al. (US 5724577), and further in view of Richards et al. (US 2002/0016922).

As per claims 3, 11, Exley et al. do not explicitly teach digital documents. However, Richards et al. teach digital files, search keywords, search engines – pars. 0044, 0059; database key index file – pars. 0077-0078. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.’s teaching with Richards et al. in order to allow efficient search and browsing of digital files.

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As per claims 21, 26, 28, Exley et al. teach unique keys associates with the values found in the relational information table – col. 4, lines 22-35; a module that searches said index and obtains a list that includes said first key and a second key – col. 3, line 50 to col. 4, line 37. Exley et al. disclose the sorted order or data groups and subgroups determined by index keys – col. 3, lines 31- 50; fig. 3.

As per claims 13, 18, 22-23, 29, Exley et al. do not explicitly disclose a network having a plurality of nodes. Richards et al. teach network communications with remote users, subscribers or apparatus – pars. 0060, 0081, 0138. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Richards et al. in order to allow users utilizing networks to connect and search for desired data.

As per claims 14, 19, Exley et al. teach wherein said creating is performed for said plurality of data – col. 2, lines 7-31. Exley et al. do not explicitly disclose data are distributed over a plurality of network nodes. Richards et al. teach network communications with remote users, subscribers or apparatus – pars. 0060, 0081, 0138; data are distributed over a plurality of network nodes – pars. 0042, 0062. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Richards et al. in order to allow users utilizing networks to connect and search for desired data.

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As per claim 24, Exley et al. do not teach said key is distributed over said plurality of nodes. Richards et al. teach said key is distributed over said plurality of nodes - pars. 0021, 0039, 0056, 0061. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Richards et al. in order to facilitate efficient search and browsing to end users.

As per claim 25, Exley et al. do not teach wherein said module, that searches said index, is distributed over said plurality of nodes. Richards et al. teach said module, that searches said index, is distributed over said plurality of nodes – par. 0159.

As per claim 27, Exley et al. teach wherein said creating is performed for said plurality of data - col. 2, lines 7-31. Exley et al. do not explicitly disclose a network having a plurality of nodes. Richards et al. teach network communications with remote users, subscribers or apparatus – pars. 0060, 0081, 0138; digital files can be queried by users – pars. 0059, 0079, 0138. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Richards et al. in order to allow users utilizing networks to connect and search for desired data.

Response to Arguments

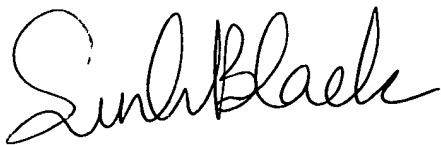
Applicant's arguments with respect to claims 1-4, 9-14, 16-19, and 21-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LINH BLACK
Examiner
Art Unit 2167

August 15, 2005



GRETA ROBINSON
PRIMARY EXAMINER